

[illegible]

The pro se Plaintiff, a detainee at the Mecklenburg County Jail, filed this action pursuant to 42 U.S.C. § 1983. [Doc. 1]. He is proceeding in forma pauperis. [Docs. 2, 7]. On October 20, 2023, the Court dismissed the Complaint on initial review. [Doc. 8]. The Court granted the Plaintiff 30 days to file a superseding Amended Complaint. [Id.]. The Plaintiff was cautioned that, “[s]hould Plaintiff fail to timely amend his Complaint in accordance with this Order, the Court will dismiss this action without prejudice.” [Id. at 3-4 (footnote omitted)]. A copy of the Order on initial review was mailed to the Plaintiff at his address of record on the same day it was entered. The Plaintiff has failed to file a superseding Amended Complaint and the time to do so has expired.


Case 3:23-cv-00576-FDW Document 9 Filed 12/04/23 Page 1 of 2

imply any such restriction and a court has the inherent power to dismiss a case for lack of prosecution or violation of a court order).

**IT IS, THEREFORE, ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

**IT IS FURTHER ORDERED** that the Clerk of Court is directed to terminate this action.

Signed: December 4, 2023

  
Frank D. Whitney  
United States District Judge

